

**USDS SDNY
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Order of Dismissal dated and
filed September 6 (Doc #9)
is vacated *nunc pro tunc*
at the time of entry.

September 7, 2007 SO ORDERED.

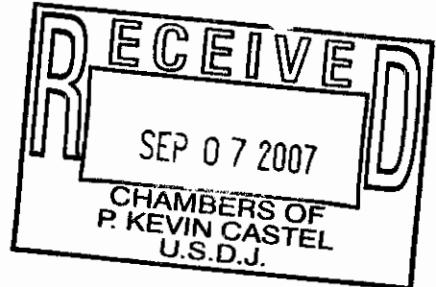
J. Castel
JDC
9-7-07

MEMO ENDORSED

BY HAND

Hon. P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 2260
New York, NY 10007

Re: Stemcor USA Inc. v.
TASC a/k/a Texas American Shipping Company
07 Civ. 6150
Our Ref.: 600261.00602



Dear Judge Castel:

We received electronic notice of your Order dismissing this action without prejudice to reopening it within 30 days if a settlement is not consummated.

We ask that you withdraw your Order *nunc pro tunc* because a sum of \$32,000 is under attachment pursuant to Supplemental Rule B, and must remain within the court's jurisdiction pending settlement. When the settlement agreement is signed, the attorneys for both parties will submit a consent order which will direct the garnishee bank to whom to release the restrained funds, and discontinue the action. We expect to have the agreement signed within a few days.

Thank you for your attention.

Respectfully submitted,

J. A. Greenbaum
Jack A. Greenbaum

JAG:eb

cc: VIA EMAIL
Patrick Lennon

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